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New York

President	Mr. Cunningham	(United States of America)
Members	Bangladesh	Mr. Ahsan
	China	Mr. Shen Guofang
	Colombia	Mr. Franco
	France	Mr. Doutriaux
	Ireland	Mr. Ryan
	Jamaica	Miss Durrant
	Mali	Mr. Kassé
	Mauritius	Mr. Latona
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Ms. Lee
	Tunisia	Mr. Ben Youssef
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

The situation in East Timor

Interim report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2001/436)

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01-37751 (E)

The meeting resumed at 3.05 p.m.

The President: The next speaker inscribed on my list is the representative of Portugal. I invite him to take a seat at the Council table and to make his statement.

Mr. Seixas da Costa (Portugal): Portugal supports fully the statement delivered by Ambassador Pierre Schori of Sweden on behalf of the European Union.

East Timor has been a success story for the United Nations, but our collective task is yet to be completed. It is imperative that the Council and the international community do not fail in providing the necessary means the United Nations needs to perform its duty in East Timor. In fact, the coming months will be crucial for the successful transition of East Timor to independence. Portugal is fully committed to participating in that process. We also consider that it is of vital importance that the Security Council maintains its strongest interest and engagement in the birth of this new Member State of the United Nations.

Portugal appreciates the work that the United Nations Transitional Administration in East Timor (UNTAET) has been undertaking in implementing its very complex and comprehensive mandate. In that connection, I would like to express my gratitude for the comprehensive briefing provided to the Council earlier by Assistant Secretary-General Annabi. We also commend the Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, for the progress already achieved in areas as diverse as ensuring security, establishing a civil administration and restoring basic services to the population.

We also welcome the latest developments in the preparations for the election of members of the Constituent Assembly, including the efforts made in the area of civic and voter education, as well as in fostering the conditions for the participation of women in the political process. We see this election as the first major step on the way to political independence. Its success in the long run will depend as much on the capacity of the internal political forces to make democracy and good governance the driving force behind their actions, as on the support the international community will be able to provide to the East Timorese Government structures.

Portugal agrees with the approach taken in the report of the Secretary-General regarding the planning for the future presence of the United Nations in East Timor. We note the establishment in Dili of a working group for post-UNTAET planning. Indeed, a detailed evaluation of the needs of East Timor after independence is urgently required. We believe that the focus of this exercise must be kept on the conditions on the ground, where the input of the Timorese is best taken into account. Needless to say, any plans and strategies that are defined without the involvement and the views of the Timorese would be impossible to implement successfully.

In that regard, I am pleased that the Council was able to hear today two key Timorese representatives, Mr. Xanana Gusmão and Mr. Ramos-Horta. Let me thank you, Mr. President, for making that possible. I think the Council recognized their presence as a valuable contribution to a better understanding and assessment of the real situation on the ground, with all the authority that comes from their legitimate, historical responsibilities.

We also noted with keen interest the remarks of the Secretary-General on the security situation in East Timor, in particular those highlighting the continued risks and uncertainties. Portugal concurs with the Secretary-General's assertion that it would be prudent to maintain the military component of UNTAET in its present form until the East Timorese Government has established itself. Further, we believe strongly that any subsequent change must be made only on the basis of a detailed assessment of the security situation on the ground. In that context, we must keep in mind that the mandate the Security Council gave to UNTAET was to prepare East Timor for independence. The election of a Constituent Assembly is only one step in that process. It is not an end in itself and it is not the end goal of the United Nations presence in East Timor.

Let me also stress the importance of a swift and comprehensive solution to the situation of the East Timorese refugees in West Timor, as well as to the situation of the continued militia activity in that area. We fully share the views expressed by the European Union on that question and on the need to ensure that all those responsible for violations of human rights and international humanitarian law be brought to justice.

The substantial engagement and support of the international community will still be needed in East

Timor after independence. It is fundamental to ensure the continuity of UNTAET's work in all areas. The Secretary-General has rightly stated in his recent report entitled "No exit without strategy", referring to East Timor, that

> "In order to ensure that independence is successful and viable, a follow-on peacekeeping mission will be required to support the new State." (*S/2001/394, para. 42*)

We look forward to the recommendations of the Secretary-General on what this follow-on mission may look like and what the needs will be to support it. The recommendations should include a realistic assessment of the capacity of any implementing partner to carry out tasks that the Security Council has entrusted to UNTAET.

To conclude, I would like to say that East Timor is a unique case — unique because of the circumstances that brought about the United Nations presence in the territory and unique because of the complex and multidimensional, yet clear and achievable, mandate this Council has given to UNTAET. Our collective goal is to ensure that East Timor becomes a viable, independent and democratic State. We cannot waver in this endeavour.

The President: I meant to note at the outset of the discussion this afternoon for the information of Council members that Mr. Gusmão has an appointment with the Secretary-General at 4 p.m. and will be leaving shortly before then, but Mr. Ramos-Horta will be remaining with us for the remainder of the meeting.

The next speaker is the representative of Canada. I invite him to take a seat at the Council and to make his statement.

Mr. Heinbecker (Canada) (*spoke in French*): Two years ago we witnessed the signing of a tripartite agreement at the United Nations authorizing the holding of the 1999 election in East Timor, the first in a series of very difficult phases that the people of Timor had decided to go through in order to become an independent country. The elections to be held in August 2001 will mark a new turning point in this endeavour. We would like to pay a tribute to the members of the Timorese Government and the international personnel, who are working together to achieve this goal.

(*spoke in English*)

It is important that we all stay the course on East Timor. We recognize that in due course the scope of United Nations involvement will need to be reduced. We believe, nonetheless, that we should not act precipitately to reduce resources, military or civilian. We all want this operation to succeed. Let us proceed with circumspection and draw down only in such numbers and at such time as we are sure that our doing so will not prejudice that success that we are seeking. At the same time, we call upon the East Timor authorities to exercise reasonable budgetary restraint.

Let us not, however, gloss over the worst threat there is to further progress, and that threat is impunity. As many of us in this Chamber have said in the past, there must be no impunity for those responsible for committing atrocities in East Timor or anywhere else. We commend the ongoing efforts being made by the fledgling judicial system in East Timor to bring about justice there for past crimes, and we welcome the clear position of the United Nations Transitional Administration in East Timor (UNTAET) and the Timorese leadership, rejecting impunity and pursuing accountability.

But East Timor should not be left alone in this endeavour. Indonesia also must live up to its commitment to bring perpetrators to justice. The verdict and sentences in the trials for last September's killings of three staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR) in West Timor are deeply disturbing and distressing. Sentences of mere months given to those who openly confessed to murder can only reduce the confidence the international system has in Indonesia's justice system. The murdered UNHCR personnel were colleagues of us all, as much as the people around this table are our colleagues. They were there working on our behalf, and we owe them justice at least. The sentences for the perpetrators are an affront to the deceased, they are an affront to us all, and they are simply unacceptable. No one in this Chamber credits for one instant that these murders were anything other than acts of cowardice and thuggery. Treating them lightly only encourages further attacks. To paraphrase the words of our Jamaican colleague, justice has not only not been done, it has been seen not to have been done.

Canada endorses the recent statements by the Secretary-General, by High Commissioner for Refugees Ruud Lubbers and by UNTAET regarding the unacceptable outcome of these cases and the need for there to be sentences proportionate to the crimes. We are encouraged that an appeal to these sentences has been filed by the Indonesian authorities, and we hope that this matter will be dealt with expeditiously and effectively. Were the Indonesian system to prove unable to defend the rule of law and enforce internationally accepted norms of legal behaviour, the international community would have no choice but to pursue other means to ensure that justice is served.

The President: The next speaker is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil): I thank you, Mr. President, for organizing this meeting and Mr. Annabi for his presentation of the report.

We welcome the presence of Mr. Xanana Gusmão and Mr. José Ramos-Horta here today. Indeed, I think we are honoured to have them here today because they are no longer only Timorese leaders; because of their struggle for democracy and human rights they are indeed real world statesmen.

Allow me to express our deep appreciation to Mr. Sergio Vieira de Mello and his team for the impressive achievements of the United Nations Transitional Administration in East Timor (UNTAET) in preparing East Timor for its full independence.

The political vision of the Timorese leadership so well represented here has been instrumental in this entire process. In this respect, we pay tribute to Mr. Xanana Gusmão, while fully respecting his decision to resign as President of the National Council.

The organization of the forthcoming election for the Constituent Assembly will certainly be the first test case for the embryonic democratic institutions of East Timor, and the support of the international community for the electoral process in all its phases, from the registration of voters to the certification of elected officials, is essential. We are confident that these elections for the Constituent Assembly will create a solid basis for sustainable democracy in East Timor. We also agree that civic education and training are essential components of this endeavour.

Political squabbling and dissent among opposing currents of thought are part of the democratic life of any State, and it cannot be different in East Timor. The most important point is the need for all political parties to remain committed to settling their differences through dialogue and institutional channels and, at the absolute grass-roots level, for East Timorese society to clearly reject any form of political violence.

In this respect, we are encouraged by the spontaneous drive of the East Timorese towards reconciliation, as mentioned in paragraph 18 of the report. The statements made today by Xanana Gusmão and José Ramos-Horta are encouraging, especially because of their insistence on the idea of tolerance as the foundation for a truly democratic East Timor.

As we enter the crucial stages of the transition to independence, the support of the international community becomes even more important. For its part, Brazil remains fully committed to the efforts to build a democratic and stable East Timor. That was the main thrust of the visit of President Fernando Henrique Cardoso to East Timor last January.

In order to underline the practical aspects of our assistance to East Timor, President Cardoso personally presided over the launching of Brazilian cooperation projects in the fields of capacity-building, professional training and education. As a follow-up to President Cardoso's visit, a Brazilian technical mission is currently visiting East Timor in order to identify opportunities for cooperation in the area of agriculture. We hope to build on our experience of South-South cooperation with a view to strengthening cooperation with East Timor and expanding the areas covered by Brazilian projects.

In the security area, the report calls attention to persistent militia activities in and around the refugee camps of West Timor and in the border area. We therefore recognize the importance of maintaining a credible dissuasive capacity on the ground. The report also highlights the need to reinforce the judicial system. Accountability is the keyword for healing the wounds of recent tragedies in East Timor.

The Indonesian Parliament's decision to establish an ad hoc tribunal to deal with gross violations of human rights in East Timor is a positive step. But the limitation later imposed on the jurisdiction of this tribunal would mean that massacres such as the ones that occurred in Suai and Liquica could not be

prosecuted. We are also dismayed by the very light sentences given to those responsible for the killings of staff members of the Office of the United Nations High Commissioner for Refugees. In this case, justice has yet to be done.

We were very much encouraged to learn about the very advanced stage of planning for the United Nations presence after independence in East Timor, referred to in paragraphs 25 to 29 of the report. We note, however, that besides a residual military presence, which might be warranted, the bulk of United Nations and international assistance to East Timor will be concentrated in capacity-building. The future presence will essentially be aimed at the far-reaching tasks of nation-building — the establishment of effective democratic institutions coupled with the creation of economic opportunities for all.

Post-independence assistance to East Timor and the main thrust of the United Nations presence in the country, therefore, should preferably assume the form of a massive technical assistance and capacity-building project, stressing full ownership by the East Timorese of their own future. As a matter of principle, planning for the future United Nations presence should not be reported to the Security Council only.

As future efforts in East Timor will concentrate on post-conflict — or, rather, post-crisis — peace-building, this is an area that certainly requires enhanced interaction between the General Assembly, the Economic and Social Council and the Security Council. In this respect, we regret that, for reasons that do not need to be discussed now, the planned meeting between the Security Council and the Economic and Social Council to deal with precisely such questions relating to post-conflict peace-building did not take place.

We are glad, however, that that meeting has not been ruled out. We believe that it would be helpful to develop an operational model for coherent and system-wide action in post-conflict situations. We all agree that there is a need for a comprehensive approach, including key aspects, such as democracy consolidation, human rights and sustained economic growth, to address the needs of countries emerging from crises, and that a long-term development programme must always be an essential part of any post-conflict peace-building effort.

We now have to think about how to maintain a strong stimulus for the international community to keep its engagement and commitments for the development of East Timor. The statements of Mr. Gusmão and Mr. Ramos-Horta reassure us that the East Timorese leadership is on the right track. The challenge before us is to back their efforts by devising an appropriate institutional basis for sustained help for the prosperity of East Timor and its people.

The President: The next speaker is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Satoh (Japan): I would like to thank you, Mr. President, for giving me the opportunity to participate in today's discussion. I would also like to welcome the two eminent representatives from East Timor, Mr. Gusmão and Mr. Ramos-Horta. Their participation is especially valuable as we enter the critical final stage of our efforts for the independence of East Timor.

My delegation commends the Secretary-General for his work in producing his well-considered report. As described in it, preparations for the election of the Constituent Assembly on 30 August, including the registration of voters and parties, are well under way. So is the consideration of a United Nations presence in East Timor after independence. But many difficult tasks lie ahead, and the future is fraught with uncertainties which, unless they are seriously addressed, could jeopardize the progress made so far.

Today I would like to underscore several points which my delegation believes are essential for bringing about a viable East Timor. Most importantly, the political transition must be effected through a process that is open, fair and democratic. We strongly support the efforts of the United Nations Transitional Administration in East Timor (UNTAET) to this end, most notably in drawing up, with the people of East Timor, a specific timetable for the election of the Constituent Assembly and compiling electoral regulations, and voter education programmes.

Japan, for its part, is sponsoring a seminar on electoral law, organized by UNTAET, and is considering other contributions in support of the electoral process, including the dispatch of electoral observers.

I would like to stress here that every effort must also be made in order to ensure that the electoral

process will be conducted in an orderly manner. As noted in the Secretary-General's report, there is a widely shared concern among the Timorese population that the political process may not remain peaceful. We therefore fully support UNTAET's policy of zero tolerance for violence, and urge UNTAET to ensure that effective contingency support will be given to the police by the military component.

I would also like to add that it would be prudent, as suggested by the Secretary-General, to maintain the military component essentially in its present form, at least until the establishment of the East Timorese Government. Needless to say, future changes in the size, configuration or mandate of the military component must be based on the objective security assessment at the time.

The issue of East Timorese refugees in West Timor remains a matter of serious concern. While it is important to give those refugees the opportunity to take part in the electoral process, the plight of the refugees in the absence of international humanitarian workers and the reported incidents of friction between the refugees and the local population are indeed worrisome.

We have to admit that the refugee problem is complex and difficult. It is for this reason that we would like to urge the Indonesian Government to continue its best efforts to resolve the problem by addressing the issue of militia activities, as well as the broader issue of reconciliation. It is equally important, of course, for the international community to provide necessary support to such an effort.

In this context we welcome the decision of the United Nations Security Coordinator to organize an inter-agency security assessment mission to West Timor this month. Here I would like to stress anew the importance of the safety and security of international personnel.

We also share the concern of the international community over the judiciary process in Indonesia with respect to the Atambua incident, in which humanitarian workers were murdered. It is evident that all parties concerned, particularly the host country, should firmly deal with those engaged in such hostile actions. This would in turn serve as a deterrent to future such incidents.

Violations of human rights and humanitarian law should be dealt with firmly, and Japan was encouraged by the steps taken by the Indonesian authorities, such as the Parliament's decision to establish an ad hoc tribunal to address gross violations. But we share the Secretary-General's concern over the limited jurisdiction of the tribunal, and we hope that the Indonesian Government will address the issue in such a way that would help ease our concern.

Lastly, I would like to touch briefly upon the United Nations presence after independence. It is evident that addressing the economic and social dimensions of the situation will be essential if East Timor is to develop as a viable sovereign State. As we have emphasized in the past, ensuring continuity in the provision of international assistance is essential in order not to jeopardize the progress that has so far been made towards nation-building.

In this context, we welcome the fact that UNTAET and the United Nations at Headquarters have established a working group and an integrated mission task force to draw up a blueprint for the future United Nations presence. We look forward to discussing the blueprint at the forthcoming donor conference to be held in Canberra in June.

The people of East Timor have come a long way on the path to independence. But they will continue to need the support and cooperation of the international community before and after independence. I would therefore like to take this opportunity to assure the Council and the representatives of East Timor that Japan will remain committed to help build a peaceful, democratic and prosperous East Timor.

The President: The next speaker inscribed on my list is the representative of New Zealand. I invite him to take a seat at the Council table and to make his statement.

Mr. MacKay (New Zealand): May I first express my delegation's pleasure at seeing Mr. Ramos-Horta and Mr. Gusmão in the Council today as we consider the important matters covered in the Secretary-General's interim report. I would also like to express my appreciation for the excellent briefing given by Mr. Annabi this morning.

As one of the larger troop contributors to the United Nations Transitional Administration in East Timor (UNTAET), with a battalion group and

helicopter detachment deployed in the Western Sector, we share the Secretary-General's assessment of the security situation in the territory. Recently, the situation has been generally good. In part this can be attributed to the robust response made by the peacekeeping force to militia incursions during the past dry season. The positive contribution of the Indonesian armed forces to the relative stability on the border during this period should also be acknowledged. But the situation does remain unpredictable.

We agree with the Secretary-General when he says the overall capability of the militias has not diminished and they remain a force to be reckoned with. Their continued existence in spite of Security Council resolutions calling on the Government of Indonesia to disarm and disband them is a matter of great concern to us. In this regard we recall that those responsible for the murder of United Nations peacekeepers Private Leonard Manning of New Zealand and Private Devi Ram Jaishi of Nepal have yet to be brought to justice. New Zealand looks to the relevant agencies of the Indonesian Government to expedite, in close cooperation with UNTAET, the prosecution of Jacobus Bere, who has admitted killing Private Manning. We expect also that others involved in these attacks on United Nations peacekeepers in East Timor will be arrested and put on trial.

We must also join others in recording our dismay at the manifestly inadequate sentences handed down to those who carried out the brutal murders of the three workers of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Atambua, West Timor, last September. The international community cannot hope to promote the safety of United Nations personnel when those who have admitted carrying out such acts receive such trivial sentences. Therefore we welcome the Indonesian authorities' decision to appeal these sentences, and we look forward to justice being fully served.

We also share the Secretary-General's deep disappointment at the extremely limited jurisdiction of the Indonesian ad hoc human rights tribunal for East Timor, and we join others in asking Indonesia to bring to account those responsible for the serious human rights violations committed in East Timor during 1999. The international community must remain closely engaged on this issue.

Across the border the situation of the refugees in West Timor remains unresolved. While we acknowledge recent initiatives by the Indonesian Government in this area, we urge greater expedition in implementing plans to register, resettle and repatriate the refugees in accordance with international standards.

Taking all these things into account, we believe the Secretary-General's emphasis on a prudent approach when it comes to security is the right one. This is reinforced when we look ahead to the political calendar leading up to East Timor's independence. The Secretary-General has provided an objective assessment of all the relevant factors. We agree with his proposal to review the question of force levels again after the election of the Constituent Assembly.

East Timor's independence is now not far away, yet a very great deal remains to be done. We fully share the Secretary-General's view that there will be a need for a significant international presence in the post-independence period. New Zealand wishes to see an appropriate and adequately resourced United Nations presence beyond independence, with core military, police and civilian administration functions funded by assessed contributions. These core functions are too critical to be left to the vagaries of voluntary funding, and there are established parallels elsewhere for what we are proposing.

We are pleased that detailed planning for the United Nations post-independence presence is underway in Dili and at Headquarters. The Secretary-General's report highlights the importance of this planning being based on a careful assessment of East Timor's needs and conducted in close consultation with the people of East Timor. We agree that the ultimate goal is to ensure that the new State can exist on its own.

We believe the Secretary-General described the situation now before us most aptly when he said in his recent report on the closure or transition of peacekeeping operations, "No exit without strategy", and I quote him here:

> "The essential requirement in the case of East Timor is to ensure that the enormous sacrifices of the East Timorese, the substantial investments of the international community, and the cooperation of the parties required to bring about a successful transition to independence are not squandered for lack of international attention

> and support for the new State". (*S/2001/394, para. 43*)

This is the challenge we collectively face and we must not allow ourselves to be diverted from it.

The President: The next speaker on my list is the representative of the Republic of Korea. I invite him to take a seat at the Council table and to make his statement.

Mr. Sun Joun-yung (Republic of Korea): Mr. President, at the outset let me extend my congratulations to you on your assumption of the presidency of the Security Council this month. I would also like to express my appreciation to Assistant Secretary-General Annabi for his report. I extend a special welcome to the eminent leaders of East Timor, Mr. Xanana Gusmão and Mr. José Ramos-Horta, and thank them for their presentations.

Since its inception one and a half years ago, the activities of the United Nations Transitional Administration in East Timor (UNTAET) have been quite successful in all areas of post-crisis management, including security maintenance and nation-building in East Timor. The case of East Timor is, thus far, one of the few success stories of the United Nations and the international community in general. We all remember the time of tough decisions faced by all the parties concerned in 1999. Enough has been done to save East Timor from its chaotic situation, but much remains to be done to make it stand on its own.

As we all know, this year is especially important in East Timorese history, with major political events such as the election of the Constituent Assembly and the establishment of the independent Government. Given the importance and symbolism of this mission, the continuous support of the international community is crucial. In this regard, the Republic of Korea is more than willing to do its part.

Allow me to highlight a few issues that my delegation finds particularly important for the sustainability of an independent East Timor.

First of all, the upcoming Constituent Assembly election is of paramount importance not only in itself, but also because it will lay the groundwork for future elections. My delegation is pleased that the East Timorese themselves have launched the preparations for the upcoming election, with professional and systematic assistance from the international community and with the United Nations Development Programme playing a central role. Despite some concerns about possible delays in the tight electoral schedule, we remain hopeful that the entire process will be implemented smoothly.

It is my delegation's view that, during the period of elections and subsequent debate on the Constitution, the most important thing is the maintenance of security and social order. To ensure peaceful and democratic *elections and unhindered debate* on the political system, the role of the international and local military and police components will be more important than ever. It is our hope that both the local and international security components will maintain particular vigilance in a concerted effort.

For the start of a new era of reconciliation and national unity of all East Timorese people, a solution to the refugee problem will be crucial. In this regard, we are pleased with the return of over 3,000 refugees last March and April. We recognize the efforts made by the Indonesian Government in refugee-related issues, and we expect Indonesia's plans for refugee registration to be implemented soon, without fail. We once again call upon Indonesia and concerned international organizations to expedite their efforts and strengthen their coordination to better address this complex refugee problem.

With regard to capacity- and institution-building, we highly appreciate the efforts thus far of UNTAET and other international organizations in all areas. For these diverse and time-consuming tasks, the emphasis should be on increasing the Timorese people's ownership of their nation and institutions, and on promoting the real participation of as many people as possible. We hope that the donors conference in Canberra next month will provide an opportunity to discuss in greater depth the mid- and long-term strategy of the international community to assist the people of East Timor.

Let me make some comments on the United Nations role in East Timor this year and beyond independence. My delegation takes note of the Secretary-General's report that there is a widely shared fear among the Timorese people about the uncertainty of the political and security situation this year. Bearing that in mind, we are concerned that the debate in the United Nations regarding the early exit of United Nations personnel might unintentionally send a wrong

signal to security-threatening elements. Therefore, we believe that it is very important for the Security Council to convey to the Timorese people its firm commitment to protect them until, and even after, independence.

The United Nations mission cannot replace the new independent Government of East Timor, nor should it remain there indefinitely. However, the report of the Secretary-General contains some important elements that deserve our attention. The Secretary-General pointed out that a self-reliant East Timorese police and defence force cannot be completed in one or two years. Therefore, we believe that the continued presence of international military and police components will be necessary after independence, though reduced in accordance with the developments on the ground.

It is our view that the reduction of UNTAET, particularly the military and police components, should be carried out in a gradual and phased manner. Before the reduction, however, a clever and clear exit strategy should be prepared. In this regard, my delegation appreciates the continuing deliberations of the UNTAET working group and welcomes the recent establishment of the integrated mission task force in the Secretariat. We expect them to continue an in-depth study on exit strategies that takes into account both the need for cost-effectiveness and the objective of fulfilling peacekeeping mandates.

We also expect them to present to the Security Council and troop-contributing countries a comprehensive blueprint on the post-independence engagement of the United Nations in East Timor. My delegation would like to emphasize the need for close consultation with troop-contributing countries during the whole process of preparing and implementing the troop withdrawal or relocation.

All in all, I would like to emphasize the importance of the continued involvement and assistance of the international community for East Timor so that the progress achieved at great cost will not be impaired.

Let me conclude by expressing my delegation's appreciation of the efforts of the Secretary-General and those responsible for UNTAET's mission. We expect the next report of the Secretary-General at the end of July to include practical recommendations on the future role of the United Nations in East Timor. We look forward to continuing to participate in this important debate.

The President: The next speaker on my list is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Widodo (Indonesia): I should like to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of May and to express my appreciation for providing us with this opportunity to address issues related to East Timor and the prevailing situation in East Nusa Tenggara. Our felicitations go to the Permanent Representative of the United Kingdom for the manner in which he conducted the work of the Council last month. Permit me also to welcome wholeheartedly to the Council our dearest friends, Mr. Xanana Gusmão and Mr. José Ramos-Horta.

Before proceeding further I should like to take this opportunity to reiterate and reaffirm the position of my Government with regard to building a strong foundation for future relations between the peoples of East Timor and Indonesia and to cooperating with the United Nations Transitional Administration in East Timor (UNTAET) in facilitating the territory's transition to independence. To that end, the Indonesian Government remains fully committed to steadily and constructively resolving the outstanding issues once and for all.

Those efforts are reflected in the fifth round of meetings held between Indonesia and UNTAET, which took place at Bali on 15 and 16 May 2001, to address questions relating to registration of refugees, citizenship, pensions for former civil servants and agreement on airspace and postal services, including the Oecussi transit agreement. With regard to the latter, it has been agreed that the issue will be discussed at the next meeting Joint Border Committee. There was also agreement regarding payment arrangements for pensions, including the launching of a joint appeal for a special fund. At the end of the meeting, the agreed minutes were subsequently signed by both delegations.

With reference to the interim report, I should like to share some observations as to its contents.

On the issue of East Timorese refugees, the Indonesian Government along with UNTAET, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization

for Migration (IOM) jointly conducted an information campaign from 9 to 11 April 2001. We sincerely hope that this undertaking will expedite the repatriation process, as it has proved successful in providing the refugees with first-hand information on the situation in East Timor and in enabling them to make an informed decision as to whether to be repatriated to East Timor or to be resettled in Indonesia. At the same time, the refugees are entitled to the right to voice their opinions freely concerning the popular consultations, for this is indeed the true meaning of democracy.

We question the report with regard to the allegations of disinformation. The report refers to such uncorroborated sources as an Indonesian newspaper citing an unnamed local administration official in East Nusa Tenggara as if such actions were attributable to my Government.

Yet, the continued imposition of the Phase V security category by the United Nations has indeed impeded the return of the refugees. My delegation therefore trusts that the United Nations Security Coordinator will dispatch his team to the area no later than this month. Meanwhile, the registration planned for 6 June is expected to take place as scheduled. That is to be preceded by a socialization process that will take place from 21 May to 5 June, in which UNTAET is invited to participate. Similarly, invitations have been extended to 32 diplomats from Jakarta to witness the registration process on 6 June. This can be undertaken due to the improved security in and around the refugee camps.

Thus we fail to understand the assertion that the security situation "remains unpredictable". Let me assure this body that, for its part, the Indonesian Government has done its utmost in promoting security, law and order, and will continue to do so.

These results have been widely acknowledged in such places as the report of the Portuguese parliamentary delegation on its visit to Australia, Indonesia and East Timor from 22 February to 8 March 2001. Similar observations were made at the last Bali meeting by the head of UNTAET's political affairs department, Ambassador Galbraith, who stated that occurrences of security incidents have been minimal.

With regard to cross-border incidents, the responsibility to prevent such incidents from occurring rests with both Indonesia and UNTAET, as manifested through the holding of regular coordination sessions to maintain law and order in those regions. Regretfully, five United Nations peacekeeping soldiers recently entered East Nusa Tenggara and went so far as to question local Indonesian people and to check their identifications. Fortunately, the prompt intervention of the local military commander prevented the incident from getting out of hand. Indeed, there can be no justification for any party to overreach or go beyond its mandate.

On the issue of justice and impunity, let me once again reiterate my Government's unswerving commitment to bring to justice those responsible for human rights violations. It should be noted that presidential decree No. 53/2001 has established ad hoc human rights courts to adjudicate documented cases of human rights abuses in East Timor in 1999 and in Tanjung Priok in 1984. It is also to be noted that the implementation of the memorandum of understanding regarding cooperation in legal, judicial and human rights matters requires the consent of the Parliament to be in full conformity with the Indonesian legal system.

With regard to the criminal trials of the six persons accused of the killings of the three UNHCR workers in Atambua in September 2000, despite the verdict handed down by the North Jakarta District Court, I wish to emphasize that their trials have not been concluded. On the contrary, the judicial process is still underway, as the prosecutor is now appealing the matter to the High Court, with the possibility of again appealing to the Supreme Court — the highest court in the Indonesian justice system. It is therefore prudent for all concerned parties to refrain from making hasty judgements until a final decision is taken.

Closely linked to the problems of refugees and justice is reconciliation, which my delegation considers as the key element in resolving comprehensively the issue of East Timor. It is the firm position of my Government that a genuine reconciliation between and among the East Timorese will become the solid foundation whereby an atmosphere conducive to peace and harmony can be promoted, thereby eradicating the root causes of conflict. It is important to emphasize that reconciliation and retribution do not go hand-in-hand. To be truly successful, the process of reconciliation requires bridging vast differences while leaving past tragic incidents to history.

Therefore, true justice and stable peace have to be achieved in tandem and in a balanced manner.

Ultimately it is only for the East Timorese people themselves to determine the path to be taken in order to be one nation and people. Thus, it is incumbent upon the international community to support and promote such endeavours. In other words, its implementation must not be relegated to a future date but must be pursued as a matter of urgency. It is in this context that at Bali on 5 and 6 May this year the Government of Indonesia yet again facilitated reconciliation talks between representatives of the National Council of Timorese Resistance (CNRT) and the East Timorese refugees in East Nusa Tenggara.

By promoting and enhancing direct people-to-people contact between and among the East Timorese, it is hoped that the refugees can gain confidence in the reception that awaits them on their return to East Timor. It is therefore legitimate in this context to also address the refugees' genuine concerns regarding their security in East Timor, particularly taking into account the recent brutal acts of violence against returnees.

One of the results of the aforementioned reconciliation talks was the request that UNTAET respect the political rights of the East Timorese refugees to participate in the democratic elections in East Timor and not exclude them for technical reasons. As East Timorese, it is their fundamental and basic human right to participate in determining East Timor's future. Moreover, we also welcome the planned visit of Monsignor Basilio do Nascimento to the camps by the end of this month as another step to further promote the reconciliation process. In this context, we sincerely hope that the reconciliation talks between the CNRT and Uni Timor Aswain (UNTAS), scheduled to be held on 24 and 25 May 2001, will make significant progress as a follow-up to a similar event held in Bali last year that was considered a milestone, as it was the first time that both sides had the opportunity to meet and foster harmony and cooperation.

Before concluding, I would like to allude to a specific point — that to satisfactorily resolve any dispute, including that of East Timor, it is essential that the reports of the United Nations be impartial, balanced, objective and based on reliable sources of information. Biased and contradictory statements of facts, as well as references to unverifiable sources of information, can also be prejudicial to the interests of Member States. Similarly, we would expect media sources and so-called unnamed sources to demonstrate a greater sense of ethical responsibility.

As Indonesia is in the transitional period towards full democracy, my Government has, through a process of dialogue and cooperation with the international community, worked to strengthen legal mechanisms. At present Indonesia is in the process of finalizing, with the Office of the United Nations High Commissioner for Human Rights, technical assistance for the enhancement of the capacity of the Indonesian administration of justice for the prosecution of human rights violations.

Finally, over the long term and in anticipation of post-UNTAET East Timor, my Government seeks to establish a durable, wide-ranging and mutually beneficial relationship with East Timor. Trade and investment, as well as cooperation in the socio-cultural fields, will be central to this effort. Therefore, the creation of conditions conducive to the interaction of the people of East Timor and the people of the neighbouring Indonesian province of East Nusa Tenggara is important, for the legal and political separation of East Timor from Indonesia cannot erase the reality of the centuries-old societal and family links between them. Hence, when UNTAET completes its mandate, it is our sincere hope that these links will flourish.

The President: I would like to ask Mr. Annabi now if he wishes to respond to any questions or to comments.

Mr. Annabi: I think the first question related to the reported lack of progress in obtaining payment of electricity bills and airport charges. I take that on board and will revert to it once we receive the technical information on this from UNTAET. I know they have been working on these issues, but I am not in a position today to give you a precise answer.

Ambassador Doutriaux of France had raised certain questions.

(*spoke in French*)

I would like to say that we did take due note of the questions raised by the French delegation regarding the structure and the strength of UNTAET. The Secretariat will address those questions in the report that the Security Council has requested the Secretary-General to submit at the end of July. For the time being, I only wish to say that some of our bitter experiences of the last decade have taught us that it would not be prudent to take the risk of jeopardizing

the considerable investments made by the international community in East Timor by prematurely reducing the troop level of UNTAET.

The recommendations in the Secretary-General's report of 2 May are based on a strict analysis of the potential threat that could set back the preparation process for the independence of East Timor. The Secretary-General is firmly convinced that any premature reduction in troop level must be avoided. He will nonetheless continue, in consultation with our Timorese partners, to follow closely, the evolution of the security situation, on the understanding that he would not hesitate to propose to the Council in due course any reduction that he might find realistic and reasonable.

Ambassador Doutriaux also asked whether the security assessment mission would take place this month. As stated in the report, the Security Coordinator has taken the decision to dispatch this assessment mission, and we still hope that it will be able to take place in the near future.

(*spoke in English*)

One question was whether refugees in camps in West Timor would be able to vote. The electoral regulation adopted by UNTAET on this is very clear. East Timorese who wish to register and vote in the elections of 30 August will have to come to East Timor to register and then to vote. But measures have been taken to ensure that registration stations and polling booths will be located close to the border with West Timor so that refugees who wish to vote would be given that possibility. UNTAET does not believe, however, that for obvious reasons it will be possible to organize the vote in West Timor.

I was also asked to provide more information on the integrated mission task force. This task force was established about a month ago. It has been meeting regularly here at Headquarters. As the Council knows, on the ground UNTAET has also established a working group that will interact with the task force, and a senior official has been appointed to go and support the work of the working group. He will shuttle between the task force and the working group in East Timor to ensure that the detailed planning on the ground and the policy decisions that will have to be made here in consultation with the agencies and departments concerned are in sync.

This task force includes a core group drawn from the Department of Peacekeeping Operations, the Department of Political Affairs, the United Nations Development Programme and the World Bank, and holds larger meetings as required so as to enable other agencies that can contribute to the planning of the post-independence phase to make their own contribution.

I was asked whether I could elaborate on the reasons for the decline in the return of refugees between March and April. It is true that there were very few returns in April. The fact is that, as the Secretary-General's report indicates, the situation in the camps is still not conducive to the return of refugees, and the intimidation and disinformation that have taken place are still having an effect on the refugee population in the camps. Of course, they are also still subject to the influence of militias that have not been disarmed or demobilized, as requested under Security Council resolution 1319 (2000).

I do, however, have a piece of good news in this regard; it only reached us over lunch, which is why I did not include it in my briefing this morning. As our colleague from Indonesia said, during talks held in Denpasar, UNTAET and the Indonesian Government reached agreement on the resumption of pension payments to former Indonesian State employees residing in East Timor. This was characterized by a member of the UNTAET delegation as a breakthrough. We hope that this agreement will now be promptly implemented because it could, of course, encourage refugee return.

A second development, which could also play a role in encouraging refugee return, is the agreement to include a reference to a planned compensation fund for former State employees in the consolidated appeal for West Timor refugees, which is expected to be launched jointly by Indonesia and the United Nations in July. This fund could also provide an inducement for the return of refugees to East Timor.

I was also asked to provide information on the role of United Nations Volunteers. We do, indeed, have a large number of United Nations Volunteers in East Timor; as of the end of April, the exact number was 664. They are playing an important role in the preparations for the elections for the Constituent Assembly, in particular by assisting in civic education and civil registration. In fact, when I visited East Timor in March, some of the registration stations were being

entirely manned by them. And, of course, they will also assist in the other phases of the electoral process. So we use them whenever we can in our operations, because they are obviously a cost-effective resource.

I think the last question was from the Ambassador of Sweden, speaking on behalf of the European Union, who suggested that further efforts should be made to increase capacity-building in governance, including in the districts. I fully agree that there is a lot of work to be done there. We should remember, however, that East Timor has been less fortunate than some other territories seeking independence, and that until recently very little attention had been paid to the training of East Timorese experts and administrators.

UNTAET is doing its best, but of course it takes time to create a generation of managers and administrators; it does not happen overnight. UNTAET will continue to consider this as an essential priority as it develops its plans and strategy for the post-independence period, in close consultation with Xanana Gusmão and José Ramos-Horta and their colleagues. In fact, when we met this morning before the Council meeting, they were stressing the fact that in their view there will be a significant and substantial continuing need for international expertise after independence, in view of the severe lack of qualified administrators.

The President: I would now like to give the floor to Mr. Ramos-Horta for any comments or observations.

Mr. Ramos-Horta: Thank you, Mr. President, for giving me the floor again. I will not add much to what the Assistant Secretary-General, Mr. Annabi, has already said in terms of clarification. I would like to make just two points, the first in relation to the political atmosphere — the political divisions and tensions — and the second in relation to our own efforts at reconciliation, adding to what I said earlier.

First, I would like to say that we take seriously the concerns expressed here by almost everyone regarding the political tensions and divisions. However, of the several incidents that took place in the course of 2000 and in the first few months of this year, we would consider only two to be politically related. I speak with direct knowledge of the facts, because I was called upon in almost every one of them to go and talk with those involved in the incidents and help resolve the problems. To my surprise, contrary to the rumours that first began to spread after the incident at the New Year, it started essentially when a group of youths attempting to enter a New Year's party were barred — they had not been invited. They began to throw stones at those at the party, and the situation degenerated into violence. Another incident involved a mosque. A group of drunken youths on their way home saw a car inside the grounds of a mosque. They entered and asked for the car, and, of course, the people in the mosque said, "No". The youths then left and began throwing stones, and stones soon began flying in both directions.

The most serious incident took place in Baucau, when a fight between youth groups resulted in the burning of the local mosque. The United Nations Transitional Administration in East Timor (UNTAET) and the East Timorese leadership condemned that action, and subsequently Sergio Vieira de Mello took the initiative of mobilizing funds to repair the mosque. The Portuguese Commissioner responsible for humanitarian assistance to East Timor, Father Victor Melicias, accompanied by the most prominent Muslim leader in the city of Lisbon, travelled to East Timor and offered financial assistance. Subsequently, we all met with the Muslim leaders in Dili and Baucau. I personally went to Baucau to meet with the youths who burned the mosque to tell them that that was not enough in terms of our contribution — that we were not merely going to pay for it, but that they had to show their repentance by contributing manually to rebuilding the mosque, a condition which they accepted. That is what we did.

There was also an ugly incident in Viqueque that involved youth groups, in particular groups involved in martial arts. Strangely enough, many of the conflicts erupt after a soccer match — perhaps our youths watch too many European soccer matches. They are inspired by activities on the soccer field, and it is almost inevitable that after each soccer match the losing side does not accept the result.

Unfortunately, when violence starts, it sometimes takes on a political dimension when each faction calls on its own gangs, its own people. So I would say that this has essentially been the cause of 90 per cent of the violence that has occurred in East Timor. Fortunately, so far the political violence has been confined to one or two incidents.

Are we going to be able to maintain a relative level of peace and stability in the months ahead when,

of course, political tensions will increase? That is a big question. But to answer that, what I said earlier is that we are putting even greater efforts into the process of not only reconciliation between the pro-independence majority and the pro-autonomy group, but we — Bishop Belo and I — are also starting, with the support of Xanana Gusmão and Sergio Vieira de Mello, a comprehensive campaign extending many months into the future to promote a culture of non-violence, of tolerance. In this regard, we have discussed with the United Nations Children's Fund and the diplomatic missions in Dili how they can assist us by providing resources. It is difficult to address the issues of a culture of violence, of a people traumatized and accustomed to abuse by State law enforcement agencies for a quarter of a century, and it is difficult to suddenly drop the temptation to engage in violence.

We are conscious of the fragility of the peace in East Timor. Peace and tranquillity is a reality, but, as we have said a number of times, it is still very fragile because of all the psychological and emotional aspects.

In terms of justice, I failed to add in my previous comments that we have established a regulation creating a Truth and Reconciliation Commission. However, a new aspect of this Truth and Reconciliation Commission is that we intend to go back all the way to 1975, because, as I personally have stated on a number of occasions over the years, as has President Xanana Gusmão, we, the East Timorese side, cannot blame only Indonesia for what happened in 1975 and thereafter. The first acts of violence and the first resort to weapons in 1975 were by us, the East Timorese, starting with the civil war in August 1975. The first weapons used then were not Indonesian weapons. The first people killed in East Timor were not killed by Indonesian soldiers. Therefore, we must also have the courage and the humility to search back into our own history and to apologize to our own people. Only then can we have the moral authority and the tranquillity of mind and of conscience to demand real justice from others. This, then, is the task of the Truth and Reconciliation Commission that has been set up and is broadly representative of the Timorese society.

I conclude by referring also to the political divisions in East Timor. This is what the United Nations, Peter Galbraith and all diplomatic missions tell us: multi-party; that we have to have freedom of expression; and that our National Council has to take it seriously. President Xanana Gusmão, in the time he spent in the Council — he went to the Council against my advice because he wanted to go — experienced a bit of the new climate of democracy in East Timor. When Xanana Gusmão resigned I stepped in and offered to lead the Council. Most of the Council members spoke against my leaving foreign affairs, and the next day I had to go back to foreign affairs because the Council members showed their maturity and their understanding of the importance of foreign affairs for East Timor. They said, "This is not your place", so I dutifully presented my resignation to Sergio Vieira de Mello. I essentially lasted only 24 hours in the National Council.

That was my first experience in the National Council and I began to wonder why the Council was being criticized. To me it seemed no different from the many experiences I had had in attending as a guest many parliaments around the world — the United States Congress, the Portuguese Parliament, the Italian Parliament, the British Parliament and a few others that we do not attend but watch on television. The National Council has been very constructive. It has adopted numerous regulations, and it takes its job seriously. Assistant Secretary-General Annabi also experienced the National Council in his recent visit to East Timor. I do not know whether he wishes to repeat that experience. I also do not think I will readily accept returning to the Council to participate in debates there unless it is absolutely necessary. However, it illustrates the positive developments in East Timor.

The crucial question that has been asked is whether we are going to be able to handle the debate and the divisions in a civilized way. We are, of course, working hard to answer that. I cannot say that we will succeed 100 per cent, but we are working towards that goal, so that the divisions, the conflicts and the debate remain in the realm of civility.

I thank you, Mr. President, members of the Security Council and the rest of the international community present today, as well as others that are not present, for your continued support. It is thanks to your generous support and thanks to the generosity of the soldiers of the peacekeeping force, the civilian police, the international civil servants, the non-governmental organizations and the United Nations Volunteers who are there that we have come this far. We have produced almost a miracle in a year and half. The task ahead is still great, but with the Council's continued engagement, as President Xanana Gusmão said a while

ago, we hope to return here in different circumstances to thank the Council as a sovereign State and to say that we did not waste or betray your trust or the resources that you have put into building this new democratic State.

The President: I thank you for those remarks. I also wish to thank Mr. Annabi and especially Mr. Ramos-Horta and, through him, Mr. Gusmão, for their presence here today. Your contributions certainly enriched our discussion.

As I said before when speaking in my national capacity and now say as President of the Council, I think clear messages were sent today from the Council, and I hope that those to whom they were addressed will heed them and take them to heart. I think it is appropriate also to say a word of appreciation on behalf of the Council for the effort being made by Sergio Vieira de Mello and by the troop contributors as well in helping to deal with this situation.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 4.35 p.m.